

BUSINESS REPORT

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

SENATE JUDICIARY COMMITTEE

Date: Monday, January 19, 2009
Place: Capitol

Time: 9:00 am
Room: 303


BILLS and RESOLUTIONS HEARD:

SB 158, SB 197

EXECUTIVE ACTION TAKEN:

SB 171-Do Pass As Amended

COMMENTS:



SEN. Gary L. Perry, Chairman

MONTANA STATE SENATE
Roll Call
JUDICIARY COMMITTEE

DATE: 1/19/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR GARY PERRY, CHAIRMAN	/	
SENATOR JIM SHOCKLEY, VICE CHAIRMAN	/	
SENATOR AUBYN CURTISS	/	
SENATOR JOHN ESP	/	
SENATOR GREG HINKLE	/	
SENATOR LARRY JENT	/	
SENATOR CAROL JUNEAU	/	
SENATOR CLIFF LARSEN	/	
SENATOR JESSE LASLOVICH	/	
SENATOR DANIEL MCGEE	/	
SENATOR LYNDIA MOSS	/	
SENATOR TERRY MURPHY	/	



SENATE STANDING COMMITTEE REPORT

January 19, 2009

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Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 171** (first reading copy -- white) **do pass as amended.**

Signed:


Senator Gary L. Perry, Chair

And, that such amendments read:

1. Page 1, line 9.

Following: "tenant"

Insert: "purposely or knowingly"

2. Page 1, line 10.

Following: "premises"

Strike: "or permits any person to do so"

3. Page 1, line 11.

Following: "70-24-321(2) "

Insert: "or 70-33-321(3) "

4. Page 1, line 13 through line 14.

Following: "both." on line 13

Strike: remainder of line 13 through "section." on line 14

5. Page 1, line 16.

Following: "under"

Strike: "this chapter"

Insert: "Title 70, chapter 24 or 33"

6. Page 1, line 18 through line 30.

Strike: sections 2 and 3 in their entirety

Insert: "NEW SECTION. Section 2. Codification instruction.

[Section 1] is intended to be codified as an integral part of

Committee Vote:

Yes 10, No 2

Fiscal Note Required ☐

SB0171001SC.smo

MD

January 19, 2009

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Title 45, chapter 6, part 1, and the provisions of Title 45,
chapter 6, part 1, apply to [section 1]."

Renumber: subsequent sections

- END -

MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/19/09 BILL NO SB 171 MOTION NO. 4
 MOTION: SB 171 Do Pass As Amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE	/		
SENATOR JESSE LASLOVICH	/		
SENATOR AUBYN CURTISS	/		
SENATOR LARRY JENT	/		
SENATOR TERRY MURPHY	/		
SENATOR LYNDA MOSS	/		
SENATOR JOHN ESP	/		
SENATOR CLIFF LARSEN	/		
SENATOR CAROL JUNEAU	.	/	/
SENATOR GREG HINKLE	/		
SENATOR JIM SHOCKLEY, VICE CHAIR		/	
SENATOR GARY PERRY, CHAIRMAN	/		

10
/ 2

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Judiciary Committee
because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE

NO

BILL/AMENDMENT

AYE

NO

1-19-09

SB-171 Amendment	✓	
SB-171 Amendment	✓	
SB-171 Amendment		
SB-171 Amendment	✓	
SB-171 Amendment		
SB-171 Amendment		

Sen.

Terry Murphy
(Signature)

Date 1-5-09

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Mediary Committee because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

BILL/AMENDMENT

AYE NO

1/13/08	SB 140 Do Pass	✓	
	SB 35 amend	✓	
	SB 35 Do Pass Amend	✓	
1/14/08	SB 1 TABCE	✓	
	SB 103 Do Pass	✓	
	SB 108 amend	✓	
	SB 108 Do Pass Amend	✓	
	SB 159 amend	✓	
	SB 159 Do Pass Amend		✓
	SB 159 Rev: Table	✓	

1/19/09	SB 171 Do Pass Amend		✓

Sen. _____

Carol Jones
(Signature)

Date

1/5/09

MONTANA STATE SENATE
Visitors Register

Judiciary Committee

Date 1/19/09

Bill No. SB197

Sponsor(s) Sen. Laslovich

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Name and Address	Representing	Support	Oppose	Inf.
STEWART STADLER	11TH JUD. DIST CT	X		
Ted Lyons	11th Jud. Dist. Ct.	X		
Lisa LeBosqui		X		
Sharon Gaughan	13th Jud Dist	X		
Glenda Travis	21st Jud Dist.	X		
Curvallis MT				
Bambi Goodman		X		
Dorothy McCarter	15th Jud Dist.	X		
Cheryl Romsa		X		
Kenneth Neill	13th - 8th Jud Dist	X		
Sharon Ann Ashton	Citizen	X		
Pam Buey	Mont. Ct. Rep. Hs	X		
Laurie Crutcher	MT Court Reporters	X		
Kim Johnson	Helena	X		
Stephanie Morrow	4th JDC	X		
Al Smith	MT LIA	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE
Visitors Register

Judiciary Committee

Date 1/19/09

Bill No. SB158

Sponsor(s) Sen. Banks

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Name and Address	Representing	Support	Oppose	Inf.
MARY Whitten	Mont. Assoc. of ^{Dist. Ct.} Ct.	X		
Kitty Curtis	11 th Jud. Dist. Ct.	X		
Ronald Snyder	NW Bar Association	X		
Ted Lympus	11 th Jud. Dist. Ct.	X		
STEWART SMOOTHER	11 th JUD DIST CT	X		
Tom Sapp	11 th Jud. Dist. Ct.	X		
GREG TODD	13 th Jud. Dist. Ct.	X		
DIRK SANDEFUR	8 th Jud. Dist. Ct.	X		
JULIE MACEK	8 th Jud. Dist. Ct.	X		
Banks A. Goodman	freelance ct reporter	X		
Kenneth Neill	8 th Jud. Dist.	X		
Sharon Ann Ashton	citizen	X		
GORDON MORRIS	LEWIS & CLARK Co.	✓		
Dorothy McCarter	1 st Jud. & MT Judges	✓		
Cheryl Romsu	Freelance Reporter	X		
Cory Swanson	Kalispell Chamber Commerce	X		
Cynthia Johnson	Ponderosa County			
Vickie Pratt, Helena	1 st Judicial District	X		
ED BARTLETT	YELLOWSTONE County	X		
CARIS MANOS	State Bar of MT	X		

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MONTANA STATE SENATE
Visitors Register

Judiciary Committee

Date 1-19-09

Bill No. SB-158

Sponsor(s) Sen Barkus

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Name and Address	Representing	Support	Oppose	Inf.
Judge Jule March	8th Judicial District	X		
Judge John Brown	18th Judicial District	X		
Joe Brennenman	Flathead Co.	X		
Chris Tweeten	State Bar of MT	X		
MIKE McGRATH	SUPREME CT.	X		
Brendy Snyder	NW Bar Association	X		
Al Smith	MTLA	X		
Chuck Denowh	Flathead Business & Industry Assn	X		
Mark French				
Charles French				

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